

1) mixing the reaction solvents, **bromided ester**, diamine and catalyst;”

On page 5, it is stated:

“STAGE A

Obtainment of methyl diglycinate from
methylenedianiline

a) in a glass or stainless steel matrass, provided with
stirring means, reflux column, heating and cooling systems, the
following materials are added: methylenedianiline, methanol and
methyl bromopropionate.”

It is also noted on page 5 that

“Hereinafter Stage 2 is described, in which the halogen
“chlorine” is substituted by “bromine” from the methyl propionate that
gives better results in the removal of residual by-products.”

Methyl bromopropionate is a methyl haloester reactant. Combined with the reference to
bromided ester, there is more than enough support to use the term “methyl haloester,” particularly
since the line on page 5 suggests that a chlorine methyl haloester could be used in place of a bromided
ester, albeit with results that are not as good as those obtained by the use of the bromided compounds.

As to the time of refluxing, claim 9 has been amended. Support for claim 9 is found on page

5.

Support for claim 6 is found on pages 3-11.

Support for claim 7 is found on page 5, line 2, wherein it is stated that bromine methyl propionate gives better results than chlorine methyl propionate. This line does not rule out the use of chlorine methyl propionate.

Support for claim 8 is found on page 5, stage A, paragraph a.

Support for Amended claim 9 (refluxing for 19 hours) is found on page 5, Stage A, paragraph c.

Support for claims 10 and 11 is found on page 5, Stage A, paragraph b.

Support for amended claim 12 is found on page 6, Stage B, paragraph j.

Support for claim 13 is found on page 5, Stage A, paragraph e.

Support for claim 14 is found on page 6, Stage B, paragraph j.

Support for claim 15 is found on page 6, Stage B, paragraph k.

Support for claim 16, is found on page 7, line 3.

Support for claim 17, is found on page 6, Stage B, paragraph j.

Support for claim 19, is found on page 6,, Stage B, paragraph k.

Support for claim 20 is found on page 7.

For claim 21, methanol is used in the application and is found on page Stage A, paragraph A.

However, original claim 1 specifically reacts a mixture of methyl bromopropionate and methylenedianiline in a C₁ - C₄ aliphatic solvent. This information can be incorporated into the main section of the specification, as the original claim is part of the specification.

Support for claim 22 is found on page 5, stage A, paragraph b.

Support for claim 23 corresponds to the stereoisomer described under stage B.

Support for claim 24 is found on page 6, the last paragraph of Stage A.

Support for claim 25 is found on pages 7 and 8.

The Office Action also notes that there are numerous inconsistencies and errors within the specification. The examiner notes that on page 3, applicants refer to the use of aromatic isocyanate; however, only the aliphatic diisocyanate, methylene diisocyanate, is exemplified. Further, applicants incorrectly refer to methylene diisocyanate as being an aromatic isocyanate in claim 12.

The Office Action also states that formula I in claim 6 and formula II in claim 23 are incorrect.

In response, applicants have corrected the figures. Applicant notes that the mistake in figure I was the result of a typographical error, and that it is obvious that it is a typographical error. Applicant notes that if one follows the reaction of the specified reactants, the hydantoin resin as now listed is obtained.

Further, the appropriate linkage for a hydantoin resin is between the nitrogen molecule in the hydantoin structure and the aromatic structure. It is obviously a mistake to show a molecule in this structure with a linkage between aromatic structures, and said mistake was made in an attempt to show the nature of the polymeric structure.

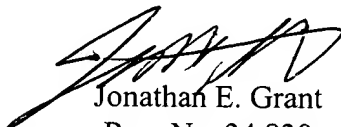
Applicants also note the case of *The Regents of the University of New Mexico v. Galen D. Knight and Terence J. Scallen* (Fed. Cir., decided February 28, 2003). In that case, chemical structures in the CIP applications were incorrect, and the PTO accepted correction to new structures after a consultant found that the original structures were incorrect. The Federal Circuit accepted the correction, because "a chemical structure is simply a means of describing a compound; it is not the invention itself." The application had provided details of synthesis that lead to the different structure, allowing correction.

The Office Action also notes that the terms polyglycolyl urea and polyglycolyl urea hydantoin resin are used interchangeably. This has been corrected.

The application is now in condition for allowance. Please call or fax me at (301) 603-9071

if you have any questions or comments.

Respectfully submitted,



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